

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GEORGE PETERS, : 11 CV 3351 (JSR)

Plaintiff, :

v. :

LAMPLIGHT FARMS, INC., :

Defendant. :

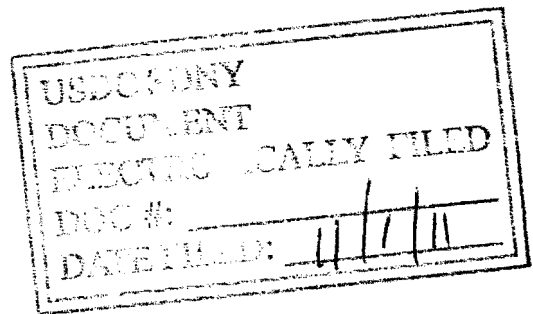
LAMPLIGHT FARMS, INC., :

Third-Party Plaintiff, :

v. :

KATHLEEN DEYO, :

Third-Party Defendant. :



**ORDER GRANTING APPLICATION
FOR PRO HAC VICE ADMISSION**

Upon the application of David B. Datny, counsel for Lamplight Farms, Inc., dated October 3, 2011, for admission pro hac vice of Thomas Frederick Gristina in the matter captioned above, and for good cause shown, it is hereby

ORDERED that Thomas Frederick Gristina is admitted to this Court pro hac vice for the matter captioned above.

IT IS FURTHER ORDERED that said counsel shall be authorized to file papers electronically in the above-captioned proceedings upon the submission of the appropriate application for electronic case filing (ECF) registration to the Clerk of the Court.

Dated: New York, New York
October 30 2011



Jed S. Rakoff, United States District Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

_____ GEORGE PETERS,	:	11 CV 3351 (JSR)
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
LAMPLIGHT FARMS, INC.,	:	
	:	
Defendant.	:	
	:	
_____ LAMPLIGHT FARMS, INC.,	:	
	:	
Third-Party Plaintiff,	:	
	:	
v.	:	
	:	
KATHLEEN DEYO,	:	
	:	
Third-Party Defendant.	:	
	:	
_____	:	

AFFIDAVIT OF SERVICE


STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

BERNICE LEVINE, being duly sworn, deposes and says:

I am not a party to the action, am over eighteen (18) years of age, and reside in Brooklyn, New York. On October 18, 2011, , I served a copy of the Application for Pro Hac Vice Admission of Thomas Frederick Gristina on:

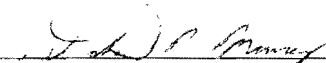
Anderson Kill & Olick, P.C.
Attorneys for Plaintiff
1252 Avenue of the Americas
New York, New York 10020

at the address designated by said party for that purpose, by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, under the exclusive care and custody of the United States Postal Service.



BERNICE LEVINE

Sworn to before me this 18th
day of October, 2011



Notary Public

STEPHEN P. MURRAY
Notary Public, New York
No. 02MU6188966
Qualified in New York County
Commission Expires 6/16/2012

10/27/11

HARDIN, KUNDLA, MCKEON,
& POLETTI, P.A.
110 William Street, 25th Floor
New York, NY 10038
(212) 571-0111

DOC # 20

Attorneys for Lamplight Farms, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GEORGE PETERS, : 11 CV 3351 (JSR)

Plaintiff,

v.

LAMPLIGHT FARMS, INC.,

Defendant.

LAMPLIGHT FARMS, INC.,

Third-Party Plaintiff,

v.

KATHLEEN DEYO,

Third-Party Defendant.

**APPLICATION FOR PRO HAC VICE ADMISSION
OF THOMAS FREDERICK GRISTINA**

PLEASE TAKE NOTICE that, upon the annexed Affirmation of David B. Datny and Affidavit of Thomas Frederick Gristina, the undersigned will move this Court before the Hon.

Jed S. Rakoff, U.S.D.J., at the United States Courthouse, Courtroom 14B, 500 Pearl Street, New York, New York, for an order pursuant to Local Civil Rule 1.3(c) granting admission pro hac vice to Thomas Frederick Gristina, so that he may represent Lamplight Farms, Inc., in the matter captioned above. In support of this motion, the undersigned states as follows:

1. I am an associate of the law firm of Hardin, Kundla, McKeon & Poletto, P.A., 110 William Street, 25th Floor, New York, New York. I am a member in good standing of the Bar of the State of New York and the United States District Court for the Southern District of New York. (**Exhibit "A"**).

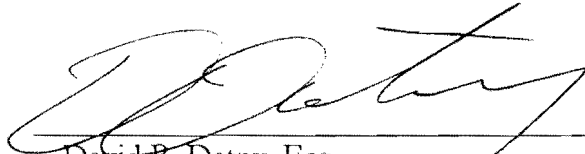
2. This firm has been retained to represent Lamplight Farms, Inc., as local counsel in the matter captioned above.

3. Thomas Frederick Gristina is a member of the firm of Page, Scrantom, Sprouse, Tucker & Ford, P.C., 1111 Bay Ave., Synovus Center, Third Fl., Post Office Box 1199, Columbus, Georgia 31902-1199. Mr. Gristina is a member in good standing of the Bar of the State of Georgia, Virginia and the District of Columbia. There are no pending disciplinary proceedings against Mr. Gristina in any State or Federal court. The Affidavit of Mr. Gristina submitted in support of this application, together with all applicable certificates of good standing, are annexed hereto as **Exhibit "B"**.

4. There is no good cause to deny the admission of Thomas Frederick Gristina to this Court pro hac vice. No party will be prejudiced in any way if Thomas Frederick Gristina is admitted to this Court pro hac vice.

WHEREFORE, for all of the reasons set forth herein, I respectfully request that the application for pro hac vice admission of Thomas Frederick Gristina be granted.

Dated: New York, New York
October 13, 2011

A handwritten signature in black ink, appearing to read "Datny", is written over a horizontal line.

David B. Datny, Esq.
HARDIN, KUNDLA, McKEON,
& POLETTO, P.A.
110 William Street, 25th Floor
New York, NY 10038
Telephone: (212) 571-0111
Facsimile: (212) 571-1117

Attorneys for Lamplight Farms, Inc.

HARDIN, KUNDLA, McKEON
& POLETTI, P.A.
110 William Street, 25th Floor
New York, NY 10038
(212) 571-0111

Attorneys for Lamplight Farms, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GEORGE PETERS, : 11 CV 3351 (JSR)

Plaintiff, :

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Defendant. :

LAMPLIGHT FARMS, INC., :

Third-Party Plaintiff, :

v. :

KATHLEEN DEYO, :

Third-Party Defendant. :

**AFFIRMATION OF DAVID B. DATNY IN SUPPORT OF APPLICATION FOR
PRO HAC VICE ADMISSION OF THOMAS FREDERICK GRISTINA**

David B. Datny, an attorney duly admitted to practice law before the United States District Court, Southern District of New York and the Courts of the State of New York, affirms the following subject to penalties of perjury:

1. I am an associate of the law firm of Hardin, Kundla, McKeon & Poletto, P.A., local counsel for Defendant Lamplight Farms, Inc., in this action. I make this Affirmation in Support of the Application for Pro Hac Vice Admission of Thomas Frederick Gristina in connection with the above action.

2. I am a member in good standing of the Bar of the State of New York, and was admitted to practice law in this jurisdiction in 2009. I am also admitted to the Bar of the United States District Court for the Southern District of New York and am in good standing with this Court.

3. Mr. Gristina is personally known to me. He is a member of the law firm of Page, Scrantom, Sprouse, Tucker & Ford, P.C., and is a member in good standing of the Bar of the State of Georgia, the location of his principle place of business, having been admitted to practice in that jurisdiction in 2002. He is also a member in good standing of the Bar of the State of Virginia, having been admitted to practice in that jurisdiction in 1995, and the District of Columbia, having been admitted to practice in that jurisdiction in 1996. He has not been denied admission to, nor has he been disciplined by any Court.

4. Defendant Lamplight Farms, Inc., desires to have Thomas Frederick Gristina of the law firm of Page, Scrantom, Sprouse, Tucker & Ford, P.C., 1111 Bay Ave., Synovus Center, Third Fl., Post Office Box 1199, Columbus, Georgia 31902-1199, also represent them in this action. Page, Scrantom, Sprouse, Tucker & Ford, P.C., including Mr. Gristina, act as defense counsel for Lamplight Farms, Inc., in other lawsuits involving similar claims. Both have substantial familiarity with the Defendant Lamplight Farms, Inc. and its products in general and with the factual and substantive issues relating to the above captioned matter in particular. As a result, Mr. Gristina has specialized knowledge which is important and necessary to the effective representation of Lamplight Farms, Inc., in this action.

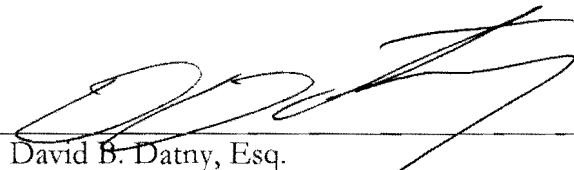
5. The Affidavit of Thomas Frederick Gristina and applicable certificates of good standing are annexed hereto as **Exhibit "B."**

6. No party will be prejudiced in any way if Thomas Frederick Gristina is admitted to the Bar of this Court pro hac vice.

7. No good cause exists to deny admission of Thomas Frederick Gristina pro hac vice admission.

WHEREFORE, it is respectfully requested that the application to admit Thomas Frederick Gristina pro hac vice, to represent Defendant Lamplight Farms, Inc. in the above captioned matter, be granted.

Dated: New York, New York
October 13, 2011

A handwritten signature in black ink, appearing to read 'David B. Datny', is written over a horizontal line.

David B. Datny, Esq.
HARDIN, KUNDLA, McKEON,
& POLETTO, P.A.
110 William Street, 25th Floor
New York, NY 10038
Telephone: (212) 571-0111
Facsimile: (212) 571-1117

Attorneys for Lamplight Farms, Inc.

HARDIN, KUNDLA, MCKEON
& POLETTI, P.A.
110 William Street, 25th Floor
New York, NY 10038
(212) 571-0111

Attorneys for Lamplight Farms, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Defendant.	:	
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LAMPLIGHT FARMS, INC.,	:	
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Third-Party Plaintiff,	:	
	:	
v.	:	
	:	
KATHLEEN DEYO,	:	
	:	
Third-Party Defendant.	:	
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**AFFIDAVIT OF THOMAS FREDERICK GRISTINA IN SUPPORT OF
APPLICATION FOR PRO HAC VICE ADMISSION**

Thomas Frederick Gristina of full age, hereby certifies as follows:

1. I am an attorney-at-law associated with the law firm of Page, Scrantom, Sprouse, Tucker & Ford, P.C. I am a member in good standing of the Bar of the State of Georgia, Virginia and the District of Columbia.

2. I, along with the other lawyers of Page, Scrantom, Sprouse, Tucker & Ford, P.C., act as defense counsel for Lamplight Farms, Inc., in a variety of other lawsuits including the above captioned matter. As a result, I have obtained specialized knowledge with its products in general and with the factual and substantive issues relating to the above captioned matter in specific which is important and necessary to the effective representation of Lamplight Farms, Inc., in this action.

3. Certificates of Good Standing for the Bar of the State of Georgia, Virginia and the District of Columbia are annexed hereto. No disciplinary proceedings are pending against me in any jurisdiction and no discipline has been previously imposed on me in any jurisdiction.

4. If admitted pro hac vice in these proceedings, I shall be bound by the Local Civil Rules of the United States District Court for the Southern District of New York.

5. This Certification is submitted in support of my application for admission pro hac vice in the matter captioned above.

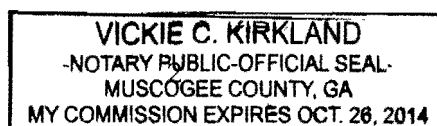
I hereby certify that the above statements made by me are true. I am aware that if any of the above statements made by me are willfully false, I am subject to punishment.

Dated: Columbus, Georgia
October 16, 2011

*Sworn to and subscribed
before me, this 16th day
of October, 2011.
Vickie C. Kirkland
Notary Public, Muscogee
County, Georgia*



Thomas Frederick Gristina.



Supreme Court of Virginia

AT RICHMOND

Certificate

I, Patricia L. Harrington, Clerk of the Supreme Court of Virginia,
do hereby certify that

THOMAS FREDERICK GRISTINA

was admitted to practice as an attorney and counsellor at the bar of this Court on
October 30, 1995.

I further certify that so far as the records of this office are
concerned, THOMAS FREDERICK GRISTINA is a member of the bar of
this Court in good standing.

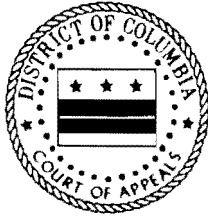
Witness my hand and seal of said Court

This 6th day of October

A.D. 2011

By: 

Deputy Clerk



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that

THOMAS F. GRISTINA

was on the 8TH day of NOVEMBER, 1996

duly qualified and admitted as an attorney and counselor entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on October 5, 2011.

JULIO A. CASTILLO
Clerk of the Court

By: *[Signature]*
Deputy Clerk



STATE BAR OF GEORGIA

Lawyers Serving the Public and the Justice System

Mr. Thomas Frederick Gristina
Page Scrantom Sprouse Tucker & Ford PC
1111 Bay Avenue, Third Floor
PO Box 1199
Columbus, GA 31902

CURRENT STATUS: Active Member-Good Standing
DATE OF ADMISSION: 05/28/2002
BAR NUMBER: 452454
TODAY'S DATE: 09/28/2011

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition	Date
N/A	N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- **Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).**
- **Sworn in to the Superior Court of Georgia, which is the highest court required to practice law in Georgia.**
- **Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.**

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

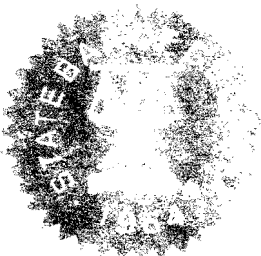
Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by **State Bar Rule 1-204**. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

STATE BAR OF GEORGIA

Brandy Cleghorn

Official Representative of the State Bar of Georgia



HEADQUARTERS

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 FAX (404) 527-8717
www.gabar.org

SOUTH GEORGIA

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 FAX (229) 382-7435